| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/663,858 | 09/17/2003 | Oded Shmueli | 24997 | 2855 |

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|---|---|
| 7590          11/01/2007 | EXAMINER |
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| ART UNIT | PAPER NUMBER |
|---|---|
| 3621 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 11/01/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/663,858 | SHMUELI ET AL. |
| | Examiner | Art Unit |
| | John M. Winter | 3621 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on <u>26 July 2007</u>.

2a) ☐ This action is **FINAL**.     2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) *See Continuation Sheet* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-5, 24, 32, 34, 45, 48, 60, 81, 92, 100, 123, 138, 146, 158, 167, 168, 169, 199, 2.15, 225, 235, 251, 266, 276, 285 and 301* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some *  c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Continuation of Disposition of Claims: Claims pending in the application are , 1-5, 24, 32, 34, 45, 48, 60, 81, 92, I00, 123, 138, 146, 158, 167, 168, 169, 199, 2.15, 225, 235, 251, 266, 276, 285 and 301 .

# DETAILED ACTION

### *Acknowledgements*

The Applicants amendment filed on July 26.2007 is acknowledged, 1-5, 24, 32, 34, 45,

48, 60, 81, 92, I00, 123, 138, 146, 158, 167, 168, 169, 199, 2.15, 225, 235, 251, 266, 276, 285

and 301 remain pending.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 24, 32, 34, 45, 48, 60, 81, 92, I00, 123, 138, 146, 158, 167, 168, 169, 199,

2.15, 225, 235, 251, 266, 276, 285 and 301 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Burchetta et al. (US Patent 6,330,551) in view of Crawford et al. (US

Patent 6,502,113).

As per claim 1,

Burchetta ('551)discloses a platform for supporting negotiation between parties to

achieve an outcome, the platform comprising:

A party goal program unit for: defining respective party's goal program in respect of said

outcome, said goal program comprising at least one objective function, having at least one goal

expressed by at least one constraint comprising at least one of a deviation variable, a decision

variable and a target value, said deviation variable being usable to form said objective function, ( Column 4, lines 48-67)

for associating each of Said Objective functions with a level of importance, and for assigning each of said goals an importance weighting within its level, and for assigning to deviation variables within each objective function a respective importance weighting, said party goal program unit comprising a party input unit for allowing a party to provide data for a respective goal program, ( Column 4, lines 48-67)

an output unit for offering said offer to said respective parties, a response receiver for receiving from respective parties either counter offers or acceptances, said response receiver being operable to provide counter offers expressed as modified goal programs to said goal program negotiator for further negotiation, said platform advancing to a next level upon an acceptance.(Figure 3, column 7, lines 25-46)

Burchetta ('551) does not explicitly disclose a negotiator associated with said party goal program unit for receiving a goal program of at least one of said respective parties, and carrying out negotiations using said at least one goal program by considering said objective functions levelwise in the respective goal program to approach at said mutually compatible outcome by carrying out minimization at a respective level, therewith to form an offer. Crawford et al. ('113) discloses a negotiator associated with said party goal program unit for receiving a goal program of at least one of said respective parties, and carrying out negotiations using said at least one goal program by considering said objective functions levelwise in the respective goal program to approach at said mutually compatible outcome by carrying out minimization at a respective level, therewith to form an offer (Column 8, lines 14-37). It would be obvious to one having

ordinary skill in the art at the time of the invention to combine Burchetta ('551) method with

Crawford et al. ('113) 's teaching in order to maximize the efficiency of the negotiations..

Claims 60, 81, 92, 100, 123,125, 138, 146, 158, 167, 168, 169, 174, 186, 199, 215, 225,

235, 249, 251, 266, 276, 285 and  301  are in parallel with claim 1 and are rejected for t least the

same reason.

As per claim 2,

Burchetta ('551) discloses the platform of claim 1,

further comprising a goal program unifier, associated with said party goal program unit

for receiving goal programs of respective parties, and carrying out unification of said goal

programs to determine whether two goal programs have a common field of interest from which a

mutually compatible outcome is derivable. (Column 4, lines 48-67; Figure 3 [Examiner notes

that the claim feature is directed towards intended usage of the claimed system.])

As per claim 3,

Burchetta ('551) discloses the platform of claim 1,

(Original) The platform of claim 1, wherein said party goal program

unit comprises a constraint arrangement unit for arranging goal constraints level wise

in a first party's goal program such that conditional weakening from said outcome for a goal in a

trade-off involves strengthening of other goals within the same level of said first party.

As per claim 4,

Burchetta ('551) discloses the platform of claim 1,

wherein said goal program unit comprises a trade-off unit for arranging goals levelwise in

a first party's goal program such that goals of a given level are negotiated with goals of a same

level of another party. (Column 4, lines 48-67; Figure 3 [Examiner notes that the claim feature is

directed towards intended usage of the claimed system.])


As per claim 5,

Burchetta ('551) discloses the platform of claim 1,

wherein said party goal program unit is operable to place said objective functions in a

hierarchy according to the respective associated level of importance, and to express each goal in

terms of at least one decision variable and at least one deviation variable. (Column 4, lines 48-

67; Figure 3 [Examiner notes that the claim feature is directed towards intended usage of the

claimed system.])


As per claim 24,

Burchetta ('551) discloses the platform of claim 1,

wherein said party input unit is operable to request a decision variable interval, and a

penalty specification for deviating from a target within said interval, and wherein said unifier is

operable to define a working interval as an intersection between respective intervals of two

parties. (Column 4, lines 48-67; Figure 3 [Examiner notes that the claim feature is directed

towards intended usage of the claimed system.])


As per claim 32,

Burchetta ('551) discloses the platform of claim 1,

Wherein said party input unit is operable to permit a party to define at least one single dimension interval goal in respect of said outcome, and to associate said goal with a range of indifference having an upper bound and a lower bound, a first weighting value for deviations below said lower bound, a second weighting value for deviations above said upper bound and a relative importance for said goal, said unifier being operable to use said range of indifference, said weightings and said relative importance to unify said at least one goal with at least one other goal to determine said compatibility. (Column 4, lines 48-67; Figure 3 [Examiner notes that the claim feature is directed towards intended usage of the claimed system.])


As per claim 34,

Burchetta ('551) discloses the platform of claim 1,

wherein said party input unit is operable to permit a party to define a two dimensional trade-off goal constraint by entering two two-dimensional points, said party goal program unit being operable to define a trade-off line between said two points. (Column 4, lines 48-67; Figure 3 [Examiner notes that the claim feature is directed towards intended usage of the claimed system.])


As per claim 45,

Burchetta ('551) discloses the platform of claim 1,

wherein said party input unit is operable to permit parties to define goals comprising pair wise variable trade-offs having at least two points and a trade-off function defined for distance from a line joining said points, and wherein said party goal program unit is operable to prevent inconsistent trade-offs to be defined within the platform by preventing said party input unit from accepting~ more than one trade-off from referring, directly or indirectly, to any given pair of decision variables. (Column 4, lines 48-67; Figure 3 [Examiner notes that the claim feature is directed towards intended usage of the claimed system.])

Claim 48 is in parallel with claim 45 and is rejected for at least the same reasons.

### *Response to Arguments*

The Applicants arguments filed on June 26,2007 have been fully considered.

The amended claims are rejected in view of newly discovered references Burchetta et al. (US Patent 6,330,551) in view of Crawford et al. (US Patent 6,502,113).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Winter whose telephone number is (571) 272-6713. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Patent Examiner -- 3621

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